



2026:AHC:60700

HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. BAIL APPLICATION No. - 9991 of 2026

Kamlesh

.....Applicant(s)

Versus

State of U.P.

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Srijan Pandey
Counsel for Opposite Party(s)	:	G.A.

Court No. - 67

HON'BLE ARUN KUMAR SINGH DESHWAL, J.

1. Heard Sri Srijan Pandey, learned counsel for the applicant, Sri Roshan Kumar Singh, learned A.G.A. for the State and perused the record.
2. The instant bail application has been filed with a prayer to release the applicant on bail during the trial in Case Crime No.475 of 2025, under Sections 80(2), 85 B.N.S. and Section 3/4 D.P. Act, Police Station Kandhla District Shamli.
3. As per the prosecution story, the deceased Asha is alleged to have committed suicide owing to the persistent harassment by the applicant, who is mother-in-law, as well as other accused persons. During investigation, name of Maneesha (daughter of the applicant) was deleted.
4. Contention of learned counsel for the applicant is that the applicant is an innocent person and she has been falsely implicated in the present case. He further submitted that in the FIR as well as in the statement of the first informant and her family members, no date and time has been mentioned when the applicant or other accused persons demanded dowry. He further submitted that Babli @ Ramesh, who is the neighbour of the applicant and relative of the first informant, clearly stated in his statement that there was no issue of demand of dowry and sometimes quarrel used to occur between the deceased and Akash (husband). He further submitted that there is no material showing that soon before the death, the deceased Asha was subjected to any cruelty regarding demand of dowry, and she herself committed suicide because of petty issues with the applicant and

her son regarding household cores. Therefore, the applicant has not committed any offence. Applicant has no criminal history. The applicant is in jail since 16.12.2025. He further submitted that charge sheet has been filed by the police, therefore, there is no requirement for custodial interrogation. In case the applicant is released on bail, he will not misuse the liberty of bail and would cooperate in the trial proceedings.

5. *Per contra*, learned A.G.A. has vehemently opposed the prayer for bail but could not dispute the aforesaid facts.

6. Considering the entire facts and circumstances of the case, submissions of learned counsel for the parties and taking into account the fact that applicant is a lady and also keeping in view the nature of offence, evidence, complicity of the accused and also taking into account overcrowded jails and heavy pendency of criminal cases before the trial courts as well as considering the mandate of the judgement of the Apex Court in the case of **Kapil Wadhawan vs. Central Bureau of Investigation** reported in **2025 SCC OnLine SC 3038** and without expressing any opinion on the merits of the case, I am of the opinion that the applicant is entitled to be enlarged on bail. Accordingly, the bail application is **allowed**.

7. Let the applicant - **Kamlesh** involved in the aforementioned crime be released on bail, on her furnishing a personal bond and two sureties each in the like amount, to the satisfaction of the court concerned, with the following conditions:-

- i. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.
- ii. The applicant shall cooperate in the trial/investigation sincerely without seeking any adjournment.
- iii. The applicant shall not indulge in any criminal activity or commission of any crime after being released on bail.

iv. The applicant shall attend in accordance with the conditions of the bond executed by her.

8. In case of breach of any of the above conditions, it shall be a ground for cancellation of bail.

9. Identity, status and residence proof of the applicant and sureties be verified by the court concerned before the bonds are accepted.

10. It is made clear that the applicant shall be released on the basis of computer generated copy of this order, downloaded from the official website of High Court Allahabad and verified by the concerned counsel with the undertaking that the certified copy will be filed within 15 days.

11. It is further directed that the trial court shall send the release order to the concerned jail through Bail Order Management System (BOMS) to ensure early release of the applicant.

12. Office is directed to send a copy of this order to the applicant through concerned Jail Superintendent via e-mail or e-prison portal in compliance of the order of the Apex Court in the case of **Policy Strategy for Grant of Bail, In Re: Suo Motu Writ Petition (Crl.) No.4 of 2021 decided on 31.01.2023** reported in **(2024) 10 SCC 685**.

(Arun Kumar Singh Deshwal,J.)

March 24, 2026

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